

## **REMARKS**

Claims 1-24 and 39-44 were pending in the application. By this paper, claims 1, 19, 39, and 40 have been amended, and new claim 47 has been added to. Claims 1-24, 39-44, and 47 are now pending in the Application. Applicant appreciates the Examiner's indication of the allowability of the subject matter of claim 13. However, Applicant believes that claims as presented contain other allowable subject matter. Reconsideration and withdrawal of the rejections are hereby respectfully solicited in view of the foregoing amendments and the following remarks.

### **Claim Rejections - 35 U.S.C. §102**

Claims 39-41, 43, and 44 have been rejected as being unpatentable in view of (5,380,066).

The Office Action cites Wiseman as disclosing a housing (76), a harness adjuster actuator (78), a grip or lower surface as shown in Fig. 5, a recessed area as seen in housing (76) in Figs. 4 and 5, an aperture, which the Office Action refers to as a hole in housing (76), and rounded edges of housing (76) as seen in Fig. 4.

Applicant does not understand the Office Action's reference to a grip or lower surface as apparently shown in Fig. 5, but will attempt to respond based on certain assumptions. For instance, claim 39 requires that the grip surface be part of the harness adjuster housing (76), and Applicant therefore assumes that the Examiner refers to the flat surface adjacent the arrow to reference number (76) (hereinafter referred to as the "grip surface"). However, if this is the case, then Wiseman's "grip surface" is inaccessible to a user when actuating the harness adjuster actuator (78), contrary to pending claim 39. This can be seen most clearly in Fig. 2 and especially in conjunction with Fig. 1 of Wiseman. In Fig. 2, the harness adjuster housing (76) and harness adjuster actuator (78) are unnumbered but clearly seen in the cut-away portion at the left side of the drawing. When installed in a vehicle the tubing (35) forms a frame that supports the child seat on a vehicle seat. It can be seen that the harness adjuster actuator (78) is accessible from the front or seating surface of the child seat (see Fig. 1) while the "grip surface" is underneath the child seat and located between the vehicle seat and the seating surface of the child seat. Therefore, the "grip surface" called out in the Office Action cannot be a grip surface as

claimed because it does not enable a user to brace a finger against the housing grip surface when actuating the harness adjuster actuator.

Likewise, the Office Action's reference to a recessed area (claim 40) and an aperture in the recessed area (claim 41) are unclear and confusing to Applicant. Although it is not clear from the figures of Wiseman, Wiseman describes in column 6, lines 13-15, that the push button housing (76) is mounted through an opening in the base member (53). Wiseman does not specifically describe how push button (78) is mounted within push button housing (78). One may assume from Fig. 4 that push button (78) extends through an opening in push button housing (78). However, Applicant cannot find any separate structure in Fig. 4 or any other figure of Wiseman that could possibly be construed as a recessed area in a harness adjuster housing. The Office Action does not seem to differentiate between a recessed area and an aperture in the recessed area and seems to equate the two in Wiseman as the opening through which push button (78) extends through push button housing (76).

Applicant respectfully submits that Wiseman does not show or describe a grip surface as claimed in claim 39, a recessed area as claimed in claim 40, or an aperture in the recessed area as claimed in claim 41.

Regardless of the deficiencies of Wiseman discussed above Applicant has amended claim 39 to recite that the 1) harness adjuster actuator is accessible from a front surface of the housing and movable between a first position and a second position along a path of movement substantially parallel to the front surface to enable adjustment of a harness of the child restraint assembly. As clearly seen in Figs. 1, 4, and 5 of Wiseman, the push button (78) operates along a path that is perpendicular to the front surface of the housing (76), i.e., inward or rearward. Wiseman does not disclose a grip surface on housing (76) that is perpendicular to the path of movement of the push button (78).

As noted above, Wiseman does not disclose a recessed area. Nevertheless, Applicant has amended claim 40 to recite that the housing includes a recessed area in the front surface, and the harness adjuster actuator is mounted within the recessed area to lie below the front surface of the housing. In Wiseman, the push button (78) clearly lies above the front surface of housing (76). Applicant respectfully submits that claims 39-41, 43, and 44 as presented clearly define over Wiseman.

## **Claim Rejections - 35 U.S.C. §103**

### **1. Claims 1-7, 10-12, and 15-23**

Claims 1-7, 10-12, and 15-23 have been rejected as being unpatentable in view of Williams (5,496,092) and Wiseman (5,380,066).

Regarding claims 1-7, 10-12, and 15-18, the Office Action cites Williams as disclosing all claimed features except for the harness adjuster housing and harness adjuster actuator being movable between first and second positions relative to a front surface of the housing to unlock the harness adjuster, movement of the buckle actuator being in the same direction as movement of the harness adjuster actuator, a recessed area in the harness adjuster housing with the harness adjuster actuator being mounted within the recessed area, an aperture through which the harness adjuster actuator extends, the housing having rounded edges, a grip surface on a lower surface of the harness adjuster housing, and the buckle actuator and the harness adjuster actuator being similarly shaped. The Office Action therefore cites Wiseman as disclosing the missing features in Williams and asserts that it would have been obvious to one skilled in the art to modify Williams in view of Wiseman.

Claim 1 has been amended to recite that the buckle actuator is accessible from a front surface of the buckle and slidable along a path substantially parallel to the front surface of the buckle. Claim 1 has been further amended to recite that the harness adjuster actuator is accessible from a front surface of the housing and movable along a path substantially parallel to the front surface of the housing.

The cited prior art both alone and in combination fail to teach or suggest at least these claim limitations. For instance, Williams discloses a buckle (65) with an actuator (unnumbered button) that moves along a path from the front surface to the back surface of the buckle (65) – not along a path substantially parallel to the front surface of the buckle (65) as claimed, but in fact perpendicular to the front surface of the buckle (65). Furthermore, Williams' harness adjuster (66) does not include a housing and a harness adjuster actuator that is 1) accessible from a front surface of the housing and 2) movable along a path substantially parallel to the front surface of the housing to unlock the harness adjuster.

Wiseman likewise fails to teach or suggest a harness adjuster actuator that is 1) accessible from a front surface of the housing and 2) movable between a first position and a second position

along a path of movement substantially parallel to the front surface to enable adjustment of a harness of the child restraint assembly. Rather, Wiseman discloses that the buckle actuator and the harness adjuster actuator move in the same direction, i.e., inward or rearward. However, this direction of movement is not along a path substantially parallel to the front surface of the buckle housing and harness adjuster housing as presently claimed.

Therefore, the combination of Williams and Wiseman would not result in a child restraint assembly as recited in claim 1. Claims 2-7, 10-12, and 15-18 depend either directly or indirectly from claim 1 and the deficiencies of Williams and Wiseman are equally applicable to these claims. Applicant respectfully submits that claims 1-7, 10-12, and 15-18 as presented clearly define over the combination of Williams and Wiseman.

## 2. Claims 19-23

Regarding claims 19-23, the Office Action cites Williams as disclosing all of the claimed features except a harness adjuster housing and harness adjuster actuator being movable between first and second positions to unlock the harness adjuster, a grip surface of sufficient thickness to enable a user to brace a finger against the grip surface when actuating the harness adjuster actuator, the grip surface being on a lower surface of the harness adjuster housing, and the buckle actuator and the harness adjuster actuator being similarly shaped. The Office Action therefore cites Wiseman as disclosing the missing features in Williams and asserts that it would have been obvious to one skilled in the art to modify Williams in view of Wiseman.

Claim 19 has been amended to recite that the buckle actuator is accessible from a front surface of the buckle and movable along a path substantially parallel to the front surface of the buckle, and that the buckle includes a grip surface extending substantially perpendicular to the path of the buckle actuator. Claim 19 has been further amended to recite that the harness adjuster actuator is accessible from a front surface of the housing and movable along a path substantially parallel to the front surface of the housing, and that the grip surface of the housing extends substantially perpendicular to the path of the harness adjuster actuator.

As discussed above neither Williams nor Wiseman teaches or suggests a buckle actuator movable along a path substantially parallel to the front surface of the buckle, a grip surface extending substantially perpendicular to the path of the buckle actuator or a harness adjuster actuator movable along a path substantially parallel to the front surface of the housing to unlock the harness adjuster, the housing including a grip surface extending substantially perpendicular

to the path of the harness adjuster actuator. Accordingly, even if the prior art is combined in a manner suggested in the Office Action, combination fails to teach or suggest the present invention as recited in claim 19.

### 3. Claims 8 and 14

Claims 8 and 14 have been rejected as being unpatentable in view of Williams, Wiseman, and Gibson (6,050,640). The Office Action asserts that Williams as modified by Wiseman discloses all of the features of claims 8 and 14 except for a directional icon on the buckle actuator (claim 8) and the harness adjuster actuator (claim 14). The Office Action cites Gibson as disclosing a directional icon and further states that it would have been obvious to one skilled in the art to further modify Williams with a directional icon as taught by Gibson. Claims 8 and 14 depend directly from claim 1 and include all of the limitations therein. The combination of Williams and Wiseman as applied to claim 1 has been discussed above. The addition of Gibson as applied to claims 8 and 14 does not overcome the deficiencies of Williams and Wiseman. Gibson merely discloses a buckle latch mechanism with instructional indicia. Gibson fails to disclose the structure set forth in claim 1 and the addition of Gibson to the combination of Williams and Wiseman would not result in a child restraint assembly as recited in any of claims 1, 8, or 14.

### 4. Claims 9 and 24

Claims 9 and 24 have been rejected as being unpatentable in view of Williams, Wiseman, and Baloga (6,457,774). The Office Action asserts that Williams as modified by Wiseman discloses all of the features of claim 9 except for the buckle having rounded edges. The Office Action therefore cites Baloga as disclosing a buckle having rounded edges and further states that it would have been obvious to one skilled in the art to further modify Williams with rounded edges as taught by Baloga. Claim 9 depends directly from claim 1 and includes all of the limitations therein. The proposed combination of Williams and Wiseman as applied to claim 1 has been discussed above. The addition of Baloga as applied to claim 9 does not overcome the deficiencies of Williams and Wiseman. Baloga merely discloses a buckle that appears to have rounded corners. Baloga fails to disclose the structure set forth in claim 1 and the addition of Baloga to the combination of Williams and Wiseman would not result in a child restraint assembly as recited in either claim 1 or claim 9.

Regarding claim 24, the Office Action asserts that Williams discloses all of the claimed features except for a chest clip including a male member and a female member releasably coupled to the male member, the male member having a pair of opposing grip surfaces of sufficient thickness to enable a user to grip the male member when decoupling the male member and the female member. The Office Action cites Baloga for the teaching of a chest clip having a male member (70) and a female member (72), with the male member having grip surfaces on the top and bottom edges. However, claim 24 depends directly from claim 19 and includes all the limitations therein. The deficiencies of both Williams and Wiseman as applied to claim 19 have been discussed above and are equally applicable here. The addition of Baloga does not overcome the deficiencies of either Williams or Wiseman and the proposed combination of Williams, Wiseman, and Baloga would not result in a child restraint assembly as recited in either claim 19 or claim 24.

#### Claim 42

Claim 42 has been rejected as being unpatentable in view of Williams and Gibson. The Office Action asserts that Williams discloses all of the claimed features except for a directional icon on the harness adjuster actuator. Claim 42 depends directly from claim 39 and includes all of the limitations therein. The deficiencies of both Williams and Gibson as applied to claim 39 have been discussed above and are equally applicable here. Applicant submits that the combination of Williams and Gibson would not result in a child restraint assembly as recited in claim 42.

#### New Claim

New claim 47 has been added, and is similar to claim 1, but recites that the buckle and the housing of the harness adjuster both define a seat-facing surface and at least one remaining surface. The buckle actuator is accessible from the at least one remaining buckle surface, and the harness adjuster actuator is accessible from the at least one remaining housing surface. The at least one remaining surface is intended to encompass any surface that does not directly face the child vehicle seat. As described in the specification, one such surface is the front surface of the buckle and housing, respectively.

For reasons discussed above, the prior art, both alone and in combination, fails to teach or suggest each limitation of new claim 47. Formal allowance of claim 47 is therefore respectfully requested.

### **CONCLUSION**

The examiner is invited to contact the undersigned at the telephone number listed below in order to discuss any remaining issues or matters of form that will place this case in condition for allowance.

No fee is believed due at this time. However, if any fees are deemed to be due for this or any other communication, the Commissioner is hereby authorized to withdraw such fees from Deposit Account No. 50-3866.

Respectfully submitted,

A handwritten signature in cursive script, reading "Adam J. Forman", is written over a horizontal line.

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